

U.S. Department of Justice



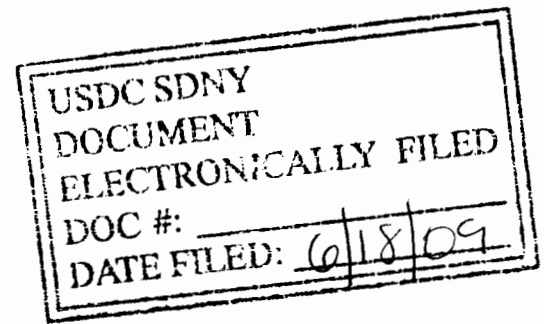
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 17, 2009

Honorable Denny Chin
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Bernard L. Madoff
09 Cr. 213 (DC)



Dear Judge Chin:

Enclosed are additional victim impact statements and requests to speak at sentencing in the above-referenced case. Exhibit A contains eight victim impact statements, including one request to speak, that were sent to the United States Attorney's Office after the June 10, 2009 5:00 p.m. deadline established in the Court's May 20, 2009 Order. Exhibit B contains one victim impact statement and request to speak that is time-stamped prior to the deadline but was not received by the Government until after the deadline. The Government is submitting these statements to the Court for its consideration. Exhibit C contains sixteen additional victim impact statements that were sent to the United States Attorney's Office in a timely fashion but were inadvertently omitted from the Government's submission to the Court on June 12, 2009. Exhibit D contains correspondence from three additional individuals who would like to speak at sentencing: (a) Ronnie Sue Ambrosino and Ken Hutchinson, whose victim impact statements were included in the Government's June 12 submission but were not specifically identified as individuals seeking to speak at sentencing; and (b) Dominic Ambrosino, whose victim impact statement and timely request to speak was not included in the Government's June 12 submission.

Very truly yours,

Lev L. Dassin
Acting United States Attorney

By:

Wendy Olsen Olancy
Wendy Olsen Olancy
Victim Witness Coordinator
(212) 637-1028

*The Clerk of the Court
shall accept this
letter and the attachments
for filing. ✓
So ORDERED.*

Enclosures

*The additional
submissions will
all be read and
considered by
the Court.*

usdj 6/18/09

cc: Ira Lee Sorkin, Esq.
United States Probation Officer Christopher T. Ferrall
Assistant United States Attorney Lisa Baroni
Assistant United States Attorney Marc Litt

EXHIBIT A

Olsen, Wendy (USANYS)

From: Roz & Bob Clark [sabellaskauai@mac.com]
Sent: Wednesday, June 10, 2009 5:25 PM
To: Robert Clark; Lou Sabella; USANYS-MADOFF
Subject: Bernard Madoff

Dear Honorable Judge Chin,

It is said that Karma can change life like the swish of a horses tail.
2008 was such a year for my family. We first suffered the loss of my dear sister, her husband and my pet. I was grieving (and still am).
The call from Scott Porter, MOT Family Investors, CEO, came on Dec. 12, 2008 telling me that our entire investment was lost to Bernard Madoff Securities Fraud.

I Invested and trusted over my entire life's savings of \$250k. The effects of this robbery on my family has hit us like a tidal wave.
I have spent many years caring for my husband who has advanced liver disease . Then in March 09 I was diagnosed with Breast Cancer. I am now undergoing Chemotherapy, bald, feel unwell. The devastation that Bernard Madoff has brought into my life has erased all thoughts of man being inherently good. Mr. Madoff has stolen my health, peace of mind along with my money.

I have borrowed money from my brother to keep a float with a tidal wave of medical bills hitting me.
We have had an investment property on the market lowered the price by \$200k and it has still not sold. My husband and I are under constant duress which is even more detrimental in our state of health.
I am 61, he is 71. We worked all of our life in family business's (personally 39 yrs). We had a nest egg that was robbed by Bernard Madoff. I don't know what I will do if I do not recover my money. We stand to lose everything that we have worked for under the evil hand of Bernard Madoff, a greedy, unscrupulous maniac driven by power.

Judge Chin, I also want to add here that I came into Madoff's hands in May 07, Sept. 08, I called Mr. Porter wanting to withdraw my funds, Mr. Porter assured me that everything was in great condition. My investment was in T-bills as was all of MOT Investors. "Not to worry" I quote. My insurance agent(who I have known 25yrs) recommended this investment. I took only one disbursement for \$5k in May 08. The theft of my money by Mr. Madoff has impacted my health, so that I may die sooner than expected along with financial ruin.

I am a small fish in a large pool of Madoff's players, neither rich nor famous. I am a citizen who has worked 39yrs in family businesses, paid my taxes, lived an honorable life. Now my family suffers at the hands of Bernard Madoff. My grandchildren will suffer. I do not see his family suffering. They are still leading lives of excess. Mr. Madoff should be punished under the full extent that the law allows.

Judge Chin, I Thank You listening to me.

Sincerely,

Rosalind Sabella Clark
215 Scenic Ave.
San Anselmo, CA. 94960

Olsen, Wendy (USANYS)

From: larry goldstein [elgny1@gmail.com]
Sent: Wednesday, June 10, 2009 6:25 PM
To: USANYS-MADOFF
Subject: letter to the honorable judge chin
Attachments: Honorable Judge Chin_2.doc

copy and pasted
as well as attached

Honorable Judge Chin,

A man stands before the court, the city, the state and the world admitting to the largest financial fraud in history.

All the while his wife frets in her husband's \$7 million dollar penthouse. And has the gall the stand up and say "my \$62 million dollars be left alone. "

He maintains, as have his son "their innocence" blind to extreme wealth, never knowing how their father made it all.

Honorable Judge Chin,

Tens of thousands of individuals and families, around the world... children, grandchildren, parents, including my father, who testified before Congress in January, are imprisoned with financial ruin by this scheming, lying, duplicitous
"I acted alone" criminal.

In some cases, like my parents who lived off my father IRA, innocent people are being forced to sell everything. The roof over their heads, their cars, jewelry, art, furniture just to eat and pay monthly bills. This while the economy wrestles with it's own fight to live.

In many cases victims are being forced into foreclosure, some left to care for terminally or mentally challenged parents and siblings... who believed according to their Government, the SEC, their accountants, financial advisors that their money, their hard earned money, was hard at work. "No worries."

Some of these people aged 60, 70, 80, 90 are wondering out of retirement and desperately looking for work. This as the nightly news reports that 600,000 people a month are being driven from work. These victims, as my father testified "were prepared for market volatility, but not fraud." These victims, many of whom are not and never have been socialites just hard working, and harder saving folk.

And yet when fraud was suspected, and red flags went up, and whistles were blown, somehow the former head of the Nasdaq, Bernard L. Madoff, quelled any fears and everyone went about their business. Not once in ten years did anyone group or agency do anything to further or aid investigations. Yet in four hours, armed with nothing more a calculator, a definitive hunch and Excel spreadsheet program, Henry Markopolous, financial analyst, whistleblower found the thievery no one else in ten years could.

Honorable Judge Chin,

Mr. Madoff and his family deserve what his thousands of his victims are left with: Nothing. Not comfort. Not security. No assets. A future void financial safety or independence.

His victims deserve to have their lives and monies back.

Their trust and independence restored. Their SIPC recovery adjusted to today's standard of living, not the \$500,000 set in 1978.

Honorable Judge Chin,

As we sit here emotionally and financially exhausted the swath of devastation one man knowingly committed is being documented in thousands of articles, in film, on microfiche, in blogs, in books, and on tombstones of those who were left destitute, devastated, broken trying to bear the loss.

Let history stand filled with justice.

The plea of the victims should be louder than plea of one filthy, vile, steal-from-the-world, greed-is-good man and his disgusting wife and family.

Let it stand before this court in the eyes and ears of everyone affected by him, that Bernard L. Madoff was convicted by his own sociopathic mind and means.

He and his family, and their families, deserve to be its ultimate victims. Pariahs'. Outcasts. Left with nothing. Not decency. Not sympathy. Penniless. Just the shame of their family name.

Unlike the thousands of destitute victims, like my parents (who sold their home at a tremendous loss, sold their possessions, gave up their lives and livelihood, and now live with my sister) there should be no pieces for Mr. Madoff and his family to pick up.

Thank you.

Lawrence Goldstein,
son of 76 and 73 year old victims Allan and Ruth Goldstein.

--

larry goldstein - founder

pardon the art direction

1+ 917 561 8873

www.pardontheartdirection.com

Honorable Judge Chin,

A man stands before the court, the city, the state and the world admitting to the largest financial fraud in history.

All the while his wife frets in her husband's \$7 million dollar penthouse. And has the gall the stand up and say "my \$62 million dollars be left alone. "

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In many cases victims are being forced into foreclosure, some left to care for terminally or mentally challenged parents and siblings... who believed according to their Government, the SEC, their accountants, financial advisors that their money, their hard earned money, was hard at work. "No worries."

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Let it stand before this court in the eyes and ears of everyone affected by him, that Bernard L. Madoff was convicted by his own sociopathic mind and means. He and his family, and their families, deserve to be its ultimate victims. Pariahs'. Outcasts. Left with nothing. Not decency. Not sympathy. Penniless. Just the shame of their family name.

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Thank you,

Lawrence Goldstein,
son of 76 and 73 year old victims Allan and Ruth Goldstein.

Olsen, Wendy (USANYS)

From: Jim & Sue Chambers [nuseashanty@comcast.net]
Sent: Wednesday, June 10, 2009 6:23 PM
To: USANYS-MADOFF
Subject: Re: Bernard Madoff Fraud Victim;

Judge Chin,

This is in response to an e-mail message received from "Bernard Madoff Fraud Victims" last evening requesting the personal ramifications of Madoff's fraud on our lives. We have been informed that your office does not have the information which we supplied to Irving Picard in early January 2009. Thus, below is a summary of our various B. Madoff accounts and their history.

My husband, Sidney J. Chambers, and I are retired Florida residents in our seventy's. The majority of our personal savings had been invested with Bernard Madoff.

We had been direct investors with Madoff since 1992, with contributions to our pension plan account. In 1997, the pension plan was terminated and its assets transferred into Madoff IRA accounts, with a reported value of \$989,000. Because the growth rate during the entire period averaged between 10% and 11%, we never withdrew any funds from any Madoff accounts in order to maximize retirement benefits. Our living expenses and even the required minimum IRA withdrawals, have all been paid out of other savings accounts.

Needless to say, news of the Madoff fraud came as a terrible shock. As of November 30, 2008, our Madoff statements, representing three separate IRA accounts, totaled approximately \$4.4 million. I believe we were one of the earliest investors to file a detailed claim for each of our three IRA accounts. Included were details of transfers and contributions made into our pension fund account between 1992 and 1997, where ever it was possible. Although we were able to provide most of the support, we no longer have bank statements for all of that period and have been advised by the bank that copies are no longer available.

It is hard to understand why we have never had a response to our claims or other correspondence from Judge Picard or his staff. We are counting on recovering at least part of our IRA accounts through SIPC but don't know what to hope for. We have assumed the SIPC claims will be handled expeditiously and equitably, but we now worry about what that really means. Will we be penalized because our contributions took place so long ago, and some can not be proven with bank records. It appears that some shorter-term investors have already been paid out of SIPC funds. Will we be receiving anything, and when?

Shortly after filing our claim, we listed our house in Stuart, Florida for sale. Unfortunately, as we all know, the real estate market is substantially depressed and even though our listing price is far less than we had hoped for, we have had little interest. In addition to the above, we have watched our non-Madoff savings drop approximately 40% in value. All of this has had a devastating effect on our lives.

Sincerely,

Ethel L. Chambers

Olsen, Wendy (USANYS)

From: Donald Schupak [DSchupak@schupakgroup.com]
Sent: Wednesday, June 10, 2009 7:04 PM
To: USANYS-MADOFF
Subject: RE: IMPORTANT FROM US ATTORNEY'S OFFICE SDNY

I would like to be heard at Madoff's sentencing hearing. Many members of my family suffered catastrophic losses including those of my 94 year mother who has been rendered penniless and my legally blind sister most of whose life savings have been wiped out. Several of my cousins, aunts and uncles and other relatives have been similarly impacted. I and my children lost substantial amounts. Our introduction was through my now deceased father who invested with Madoff many years ago. My father trusted Bernie and would roll over in his grave if he hasn't already done so to knowing that his trust in Madoff left my mother and his daughter in extremis. I believe my family would benefit from the cathartic effect of a family member speaking on behalf of the family members. While our family's misfortune is similar I am sure to many others I believe it adds weight to the sentencing process. I also think Madoff's behavior in claiming he acted alone, designed to not only protect collaborators from prosecution but acts as a shield for their ill gotten gains as well is particularly reprehensible. Madoff's lack of remorse other than of having been caught and his efforts to shield collaborators deserves in my opinion public airing from victims. donald schupak

From: Olsen, Wendy (USANYS) [mailto:Wendy.Olsen@usdoj.gov] **On Behalf Of** USANYS-MADOFF
Sent: Monday, June 01, 2009 10:53 AM
To: Donald Schupak
Subject: RE: IMPORTANT FROM US ATTORNEY'S OFFICE SDNY

From: Donald Schupak [mailto:DSchupak@schupakgroup.com]
Sent: Saturday, March 28, 2009 6:19 PM
To: Olsen, Wendy (USANYS)
Subject: Re: IMPORTANT FROM US ATTORNEY'S OFFICE SDNY

I prefer to have my correspondence sealed. With public article comes a raft of soliciations and inaccurate refereces all bof which are intrusive.

----- Original Message -----
From: Olsen, Wendy (USANYS) <Wendy.Olsen@usdoj.gov>
To: Donald Schupak
Sent: Sat Mar 28 17:18:46 2009
Subject: FW: IMPORTANT FROM US ATTORNEY'S OFFICE SDNY

-----Original Message-----
From: USANYS-MADOFF
Sent: Saturday, March 28, 2009 2:01 PM
To: Donald Schupak
Subject: IMPORTANT FROM US ATTORNEY'S OFFICE SDNY

In United States v. Bernard L. Madoff, 09 Cr. 213 (DC), the Court received a request from NBC and ABC to unseal all correspondence from victims that has been submitted in connection with the case. This includes your email to the Government. If the correspondence from victims is unsealed, the victim's personal identifying information including name, address, telephone number and email address (to the extent it was included on the correspondence) will become public. The

Government must submit a response to the request by NBC and ABC by Tuesday, March 31, 2009. Please let us know whether you consent to the full disclosure of your correspondence, or whether you wish to have your correspondence remain sealed for privacy or other reasons. If you wish to have your correspondence remain sealed, please let us know the reason. We will defend your privacy to the extent that we can. Thank you.

-----Original Message-----

From: Donald Schupak [<mailto:DSchupak@schupakgroup.com>]
Sent: Tuesday, March 10, 2009 3:30 PM
To: USANYS-MADOFF
Cc: Ken Robin
Subject: Madoff Hearing on March 12th

Please note my intent to speak at Madoff's hearing. Thank you.

Donald Schupak
Schupak Group, Inc.
595 Madison Ave.
New York, N.Y. 10022
Phone: 212 582 4210
Fax 212 262 1031

Olsen, Wendy (USANYS)

From: Avergon4@aol.com
Sent: Thursday, June 11, 2009 3:33 PM
To: USANYS-MADOFF
Subject: Madoff Investment

Judge Chin,

I am writing to plead with you to sentence Bernard Madoff to the fullest term of imprisonment possible. His wreckless and fraudulent behavior, based on greed, destroyed so many lives that the numbers cannot be calculated.

Personally, my wife and I invested with Madoff many years ago in planning for our retirement and our five grandchildrens college education. That now is all lost. We need to find jobs in order to pay our bills, which we are finding extremely difficult in the current climate. There is no work available for retired persons and the bills just keep rolling in. Our grandchildren may not be able to go to college as they were relying on funds from us. Where does it all end?

Not only has Madoff's fraud caused us great financial hardship, the emotional toll is extreme. My wife is now taking anti-depressant medication and sleepmedication. We just do not know where to turn.

We are all too aware that we are not alone in this situation. Each and every one of the Madoff investors have similar stories.

Madoff does not deserve to ever go free. Please put him in jail and throw away the key to his cell. Never let him see freedom. He has taken our freedom and peace of mind.

Robert and Jacqueline Avergon

[Dell Deals: Don't miss huge summer savings on popular laptops starting at \\$449.](#)

Olsen, Wendy (USANYS)

From: Gregg Felsen [neslef@mac.com]
Sent: Tuesday, June 16, 2009 10:24 AM
To: USANYS-MADOFF
Subject: From Gregg Felsen, Madoff Victim Statement
Attachments: Madoff victim statement.doc; ATT314714.txt

Dear Judge Chin,

Attached is my statement of how the Madoff scandal has affected my life. Thank you for looking at it.

Gregg Felsen
612-3960-7878
neslef@mac.com

FROM: Gregg Felsen, Madoff victim
5725 Duncan Lane
Edina, MN. 55436
612-396-7878
neslef@mac.com

TO: The Honorable Denny Chin
U.S. District Court
Southern District of New York
500 Pearl Street
New York, NY. 10007-1312

DATE: June 16, 2009

Dear Judge Chin,

I am writing you this letter to let you know about how my life has been ruined by the actions of Bernard Madoff and his Ponzi scheme. I wake up every morning thinking what has happened is a bad dream, but unfortunately it is not. My life and the lives of my children have been severely affected by what Mr. Madoff has done.

I am 62 years of age and have been living off of money my father left in trust for me when he died at the age of 85 in 2003 after a long and agonizing illness. When he got sick, I quit my job and devoted my life to taking care of him. My father was a wonderful man, loved by everyone who knew him in Minneapolis, worked hard all his life, and invested everything he ever made with Mr. Madoff, as did a large number of my father's friends in Minneapolis.

My father's other son, my brother, died in 1991 at the age of 41. I had no sisters, so I was the only surviving child of my father and my mother died in 1993. So, when my father died, I was the last surviving heir. My father appreciated greatly the wonderful care I provided him during his illness and he wanted me to enjoy my life and pursue my photography and writing careers once he was gone. He left his hard earned money in a trust for me from which I drew a monthly amount to live on. If I were to die, his money was to have gone to my two children, his only grandchildren.

I did not live an extravagant lifestyle. I belonged to no country club, took no vacations, did not indulge in fancy meals or clothing. I spent my money carefully on things for my business and tried to help my children,, especially my son who was starting his own screen printing and clothing business in Minneapolis.

On the morning of December 12, 2008 I awoke to breaking news on all TV stations about Mr. Madoff and the fact that he swindled thousands of his clients out of billions of dollars. My heart sank. I went into a terrible depression. I did not drive a car for three weeks. My son moved in with me to take care of me. I contemplated suicide often and was put on heavy anti depression medicine. Three weeks after the Madoff case broke, and after intense therapy which was provided to me at no charge by my therapist, I was finally not suicidal and decided to do what I could to try to re-invent my life.

Unable to find work in Minneapolis, I decided to go to Palm Springs, a place my father used to reside in the winters and a place I have visited many time. I figured I could be a bigger fish in a smaller pond with my photography. I had no other choice. I felt I was self-exiled from Minneapolis, my home all of my life. In addition to being victimized financially and wiped out by Madoff, I also felt robbed of the time I could have with my son and felt robbed of being able to live in the town I grew up in and love. I also lost a relationship with my girlfriend of five years. My life is a mess, I am despondent, and I am scared to death.

I can no longer afford the mortgage I have on my modest townhouse and I am certain that it will be foreclosed soon. I had to take Social Security early and will get \$1460/month starting soon. I went from living in a modest yet comfortable townhouse to living in a trailer park. I cannot afford my medical insurance. I miss my son. I miss Minneapolis. I am hoping to avoid bankruptcy.

Fortunately I am not 85 and broke like many victims, but I am totally devastated emotionally and financially by what Mr. Madoff has done. I am trying my best to find work and to pursue my photography business. However, with the economy as bad as it is, people are not spending money on wedding photography and magazines are cutting back on what they spend for images.

My father was a very hard working and honest man and so am I. His word was his bond and so is mine. We are good, honest, hard working people who always lived by the rules. My father was the antithesis of Mr. Madoff who admitted in your courtroom that his business was set from the very beginning as a scam. He befriended people, gained their trust, and stole from them from the day he began his business. My son was one of the few victims and relatives of victims present in your courtroom the day that Madoff admitted his guilt and admitted that he knew that someday he would be caught.

To further underscore how untruthful Mr. Madoff was and is, I happened to call his office in early October after the market had gone down dramatically. I asked the woman who took my call (unfortunately I do not remember her name) and asked how our accounts were holding up given the market collapse. I was told point blank that all of the account holders invested with Madoff had been moved into cash and T-Bills at the end of September and that all accounts were fine and had not declined with the market. I felt understandably relieved. Then I called Madoff's office again early in the week that the story about him broke. That time I spoke to a man at Madoff's office named Robert Cardille who told me that Madoff had moved account holders money back into stocks, which was good because by then the market had rebounded. Again I felt understandably relieved. Unfortunately, I was lied to both times I called Madoff's office and all of us account holders were lied to for many years. And, where was the SEC, an agency that is supposed to protect ordinary citizens from the likes of Mr. Madoff. Apparently, the irregularities of Mr. Madoff's transactions were brought to the SEC's attention several times over the years and nobody did a thing to stop him.

From day one, Madoff knew he was ripping people off. What kind of sick perverted monster does that to fellow citizens? Fortunately my father is not alive to see what this monster, Mr. Madoff, did to me, did to my children, and did to so many of my father's friends. Mr. Madoff is an example of the worst that humanity has to offer and he does not deserve one ounce of sympathy from the court. He has admitted his guilt. He has ruined the lives of thousands of very nice, law abiding, talented, and good people. He belongs incarcerated for the rest of his life with no possibility of parole, no leniency from the court, and no funny business from his defense attorneys to try to get him off.

I respectfully urge you to sentence this awful man to life in prison with out parole. Adolf Hitler hated Jews and exterminated 6 million of them and that was bad. Bernard Madoff openly befriended thousands of Jews but behind their backs was stealing their money and causing the equivalent of financial extermination of his victim's lives. Who is worse? Hitler who hated openly hated Jews and ruined their lives or Madoff who openly befriended Jews but ruined their lives. Whatever sentence Madoff is given, even if it is life in prison without parole, it will be of little comfort to me and to all of the rest of the victims because we will never get our lives back. In time, many Madoff victims will commit suicide, many will file for bankruptcy, and many will die from the stress of what he has done. He needs to never see the light of day outside of his 10'x10' prison cell. Again, I respectfully urge you to sentence this awful man to life in prison with out parole for what he has done. He may look like a decent white-haired man, but he is an evildoer the likes of which this country ahs ever seen and hopefully will never see again. Thank you.

Sincerely,

Gregg Felsen
612-396-7878
neslef@mac.com

Olsen, Wendy (USANYS)

From: Robin Swernoff [RSwernoff@lakesidestoneworks.com]
Sent: Wednesday, June 17, 2009 10:20 AM
To: USANYS-MADOFF
Cc: SuzieQ31@aol.com
Subject: Attn:Wendy Olsen

Ms. Olsen,

I am writing on behalf of my elderly parents, Irving and Annette Jungreis. Both the children of European immigrants who grew up in modest circumstances in New York, they worked hard and accomplished much, including raising two daughters; my sister Susan Jungreis Jerome, and myself. My mother was a gifted musician and attended Julliard School of Music for two years prior to attending Brooklyn College. My father was a decorated World War II veteran, serving in the Fifth Army during the Italian Liberation campaign, who subsequently also attended and graduated from Brooklyn College. My father went on to become a building contractor, who, after many financial bumps along the way, ultimately was successful and proud of his accomplishments. My mother was delighted to be a homemaker in the 1950s and 1960s, attending to the needs of her growing daughters. Together, my parents introduced us to a world of art and culture, sent us to college, and drew strength and pride from our personal accomplishments, including our own families. Until December 12, 2008, they were living out the lives their own parents had wished for them when they sought refuge in America.

In the late 1980s, my father was introduced to Bernard L. Madoff Investment Securities. He made an initial investment which proved solid. The firm's reputation along with the solid return on investment was as appealing to our parents as to many other investors. Upon the dissolution of his business at his retirement, my father then invested all of his nest egg with BLMIS. And for years he was proud and felt he had done well by his family. My parents were able to live comfortably, assist their five grandchildren, including contributing to their college education, and made plans to leave their family the fruits of their labors.

Now, of course, all that has evaporated in a puff of smoke due to the dishonesty and deception of Bernie Madoff. Irving and Annette, both in their 80s, suffer from a variety of health problems, including heart disease, diabetes, kidney disease, and hypertension. Understandably, the stress induced by the loss of all their money, has affected their health adversely. They have filed claims with SIPC, but have not received any determination as of this date. Based on everything we read, we are not hopeful. And this, of course, adds to our stress. In all likelihood, they will be forced to sell their home and eventually live with my sister or myself. This is not a story you haven't heard hundreds or thousands of times.

That one man can cause such devastation to so many is incomprehensible. It appears that he clearly set out to deceive thousands and thousands of individuals, foundations, charities, and even people "close" to him. The financial, physical, and emotional devastation will only increase as the full implication of these actions continues to affect these thousands of victims. His actions have caused tremendous ruin. He should not be shown any leniency in any way. He should stay in jail, under the harshest of circumstances, for the rest of his life.

Thank you for your attention.
Sincerely,
Robin Jungreis Swernoff

9714 N. Lake Dr.
Bayside, WI 53217
414-351-4393

NEW JERSEY CRIME VICTIMS' LAW CENTER
760 Route 10 West
Suite 203
Whippany, NJ 07981
973-729-9342

Telefax 973-240-7316
E-mail Rpompelio@yahoo.com

Richard D. Pompelio, Esq.
Executive Director

June 12, 2009

Honorable Denny Chin
United States Attorney's Office
Attn: Wendy Olsen Clancy
Victim/Witness Coordinator
One St. Andrew's Plaza
New York, New York 10007

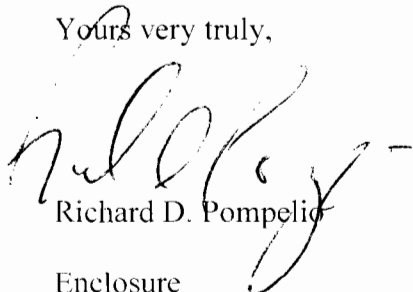
RE: UNITED STATES V. MADOFF
VICTIM - LORETTA WEINBERG

Dear Ms. Clancy:

I enclose the statement of Victim-Loretta Weinberg along with my letter to Judge Chin to which I have attached an article about the victim.

Thank you for your assistance and courtesies extended in this matter.

Yours very truly,



Richard D. Pompelio

Enclosure
/ajp

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Richard D. Pompelio, Esq.
Executive Director

June 12, 2009

Honorable Denny Chin
United States District Court (SDNY)
500 Pearl Street
New York, New York 10007-1312

RE: UNITED STATES V. MADOFF
VICTIM - LORETTA WEINBERG

Dear Judge Chin:

I enclose the statement of Victim-Loretta Weinberg which I request you consider in the sentencing of defendant Bernard Madoff. The victim is also a senator in the New Jersey Legislature who has been the leading advocate for crime victims for many years.

In the victims' rights community throughout the State of New Jersey, Senator Weinberg is recognized as a champion for the rights of crime victims. She has been a hero to victims and victim advocates, and for the many individuals who have been so deeply moved by her compassion and tireless efforts for those who have suffered at the hands of criminals, it is distressing to learn that she has become a crime victim of Mr. Madoff.

In 2007, Senator Weinberg was recognized by the victims' rights community in New Jersey for her remarkable work on behalf of crime victims. I attach a copy of the piece from the *Victim Voice* magazine so that you may have the opportunity to read about this remarkable lady. Too often, the courts read statements about and from crime victims but they are not given the opportunity to learn about the victim as a person. The attached article shows the face of this beautiful lady, and Senator Weinberg, as with each of the

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defendant's victims, is not a "faceless stranger." *South Carolina v. Gathers*, 490 U.S. 805, 821, 109 S.Ct. 2207, 2216 (1989) (O'Connor, J. dissenting). In *Payne v. Tennessee*, 501 U.S. 808, 38-39 (1991), in his concurring opinion, Supreme Court Justice David Souter stated:

Just as defendants know that they are not faceless human ciphers, they know that their victims are not valueless fungibles, and just as defendants appreciate the web of relationships and dependencies in which they live, they know that their victims are not human islands, but individuals with parents or children, spouses or friends or dependents.

The life's efforts of Loretta Weinberg and her late husband were ultimately placed in the hands of Mr. Madoff in trust for their children and grandchildren. It was their financial legacy for their loved ones, built on honesty, hard work and a faith in the American way of life. While Mr. Madoff stole their financial legacy, he could not weaken the strength of the spirit of this lady or the moral foundation which she and her husband created.

I respectfully request that Mr. Madoff be shown the photograph of Loretta Weinberg as crime victims and others throughout our state know her, and that he be reminded by this Court that she and all of his other victims are connected to each other as links in an unbreakable chain. It is the individual history and character of each victim that will enable them to survive these terrible crimes. The defendant treated them as "valueless fungibles." He was wrong. He will learn that soon enough.

Thank you Your Honor for reading this letter and the enclosed materials. Giving Mrs. Weinberg the opportunity to have a face and a voice in this process respects her right to fairness, compassion and dignity. It is very important to her and to all victims.

Respectfully yours,


Richard D. Pompello

Enclosure

/ajp

PROFILES IN JUSTICE

Senator Loretta Weinberg



Harry Truman once commented, "A pessimist is one who makes difficulties of his opportunities and an optimist is one who makes opportunities of his difficulties." There are a few special individuals who revel in turning bad situations into great victories. To them, the greater the wrong and the greater the challenge only fuels their optimism for positive change. And when the populous is fortunate enough to have one of these individuals as a representative of the people in the State Legislature, the world is simply a better place.

Senator Loretta Weinberg may be today's answer to "Mr. Smith Goes to Washington," but perhaps many would say that she is a whole lot more like Harry Truman. She is honest, tough, fair, passionate and determined. She is a champion of the rights of children, crime victims, the disabled, minorities and gay Americans, to name a few. In 2004, after 10 years of effort on her part, the Governor signed Loretta Weinberg's .08 legislation into law. This law lowers the legal alcohol level to .08 in New Jersey.

In the past several years, we have observed so many good old boys in the political process become

indicted, convicted and sent to prison. They still represent the minority; nevertheless, the media tends to focus on the bad instead of the good. And in the process, people like Senator Weinberg and her accomplishments can be overlooked.

In the spring of 2005, Senator Weinberg became aware that the ills of political patronage remained alive and destructive in state government. In the process of searching for funding to support mental health counseling for crime victims, Senator Weinberg stumbled over the bloated Victims of Crime Compensation Board with its overpaid, under-worked five member board of commissioners. The thought that crime victims were being denied mental health assistance while New Jersey State Government appointees rode "the gravy train," upset her greatly. Within a short time, Senator Weinberg introduced a 33 page bill into the legislature to totally restructure this agency and replace the board with unpaid volunteer members who actually understand and are sensitive to crime victims. The two year battle to pass this legislation became arduous at times; nevertheless, Loretta stayed the course, as she boldly advanced through the political minefield of the legislative process.

The bill to abolish the paid board and to create the new Victims of Crime Compensation Agency became law on August 1, 2007, immediately saving the people of New Jersey over \$ ½ million annually. Furthermore, the efforts of Senator Weinberg inspired the statewide victims' rights community to regain confidence in its elected

government officials causing a renewal and resurgence of the conviction and power of this group of victims and advocates. Senator Weinberg's bill is one of the most important pieces of victims' rights legislation in the history of New Jersey.

Loretta Weinberg is only one of seven females in a 40 member New Jersey Senate. When she was sworn into this seat in 2005, Senate President Richard Codey publicly joked that there was only a "men's room" in the Senate Chambers. Through her forthrightness and willingness to take on the difficult causes, Senator Weinberg soon demonstrated that her brand of politics would not be dependent on the availability of a ladies' room or an invitation into the back room. She is the essence of a public servant with the inherent ability to make opportunities out of difficulties.

And the victims' rights community and all the people of New Jersey are better off for it.



"Gravy train" was the term used by sponsor of the bill in the General Assembly, Peter Barnes, now Chairman of the New Jersey State Parole Board.

**Victim Impact Statement of Loretta Weinberg
United States v. Madoff**

Honorable Denny Chin
United States District Judge

Dear Judge Chin:

I am a victim, having had my life savings stolen from me by a man I never heard of, nor ever met - Bernard Madoff.

My husband and I worked all of our adult lives, raised our children and led a classic middle class life in Teaneck, New Jersey. He died ten years ago after a long battle with cancer and was confident in the knowledge that he left me with a secure future.

I was in what is now commonly known as a "feeder fund". We invested many years ago with a man who we thought was our "money manager" and received regular statements showing the growth of our "nest egg". On that fateful December 11th of last year, I learned via the accountant for our group that **ALL** of our money was invested with Bernie Madoff and that we had nothing left. My entire extended family, as well as my sister, my daughter and their families were in the same investment. My sister, now an 83 year old widow, suffered a stroke this past summer and is left with an expensive house she cannot afford, no current buyers, and only her social security income. I am worried about her. But I am the "lucky one" since I can still work.

The impact this man had on the lives of so many family members still evokes a feeling of disbelief for us as we try to figure out what the future holds. We are prisoners of the "general partner" of our feeder fund. We have not yet received our K1 forms and, therefore, cannot even file for our back taxes. We cannot file for SIPIC returns since it is only the general partner who can do so. So we are left victimized twice - once by Bernard Madoff and once by the system

which gives us no recourse.

Though I refuse to have my life defined as a "victim of Bernie Madoff", he has caused me untold worry about my family's collective future. He has caused sleepless nights for us as we try to figure out how to make ends meet. Although we do not have family foundations, he has taken away our ability to contribute yearly to the few causes that were close to our hearts. In other words, he has stolen more than our money. He has stolen our feeling of security. I feel anger that he could get away with it for so long. That the government agencies who reviewed his operations, found them appropriate. Most of all I feel sadness for the many folks I have heard from who are so uncertain about how they will care for themselves in the future.

This man, whose name was unknown to me, stole the money we worked so hard to save. He stole the little college fund I had for my grandchildren. He stole the trips I planned to take with them, but I still have them to hug and love.

Mr. Madoff stole more than money from all of us; I hope he will have plenty of time in a small cell to ponder the havoc he has caused. I hope his own family knows the same great uncertainty and worry. I know he will never again enjoy the loving hugs of his grandchildren, nor the pleasure of reading them a bedtime story. He is a disgrace, and he will go down in history as a thief; a thief, heartless enough to steal from the Elie Weisel Foundation. A disgraced human being who will always be remembered for all the havoc he has caused.

Respectfully,

Loretta Weinberg

EXHIBIT B

Olsen, Wendy (USANYS)

From: Randy Sue Baird [rsmb32@gmail.com]
Sent: Tuesday, June 16, 2009 4:10 PM
To: Olsen, Wendy (USANYS)
Subject: More omitted statements

Wendy

This is an email from Maureen Ebel to me - she is very distressed to have found her statement omitted. Please let me know if there is anything that you would like me to do directly with the Court or otherwise, to make sure that these letters are presented and that these Victims have a voice.

Thanks.
Randy Baird

Hi , Here is one of the 2 letters I sent to Judge Chin ...Please acknowledge that you have received it . It makes me feel sad that my letter was omitted for something so important.
Thank You , Maureen Ebel phone 610-310-4867

-----Original Message-----

From: cramlebe@aol.com
To: usanys.madoff@usdoj.gov
Sent: Wed, 10 Jun 2009 11:42 am
Subject: From Maureen A Ebel , a Madoff Victim, wishing to speak at the sentencing

Dear Judge Chin,

I wish to tell all who will listen about the impact this heinous crime has had on my life.

I am a victim of Bernard L Madoff and have lost my life's hard earned savings because our government has failed me and thousands and thousands of other citizens . There are many levels of government complicity in this crime .

The SEC, by its total incompetence and criminal negligence has allowed a psychopath to steal from me and the world. I am a 61 year old widow and now working full time .

. I have done many things to survive since Dec 11 , including selling my possessions and working at 3 different jobs at the same time . I have lost a home that my husband and I had owned for 25 years because of this theft.

I have lost the ability to care for myself in my old age .

I have lost the ability to donate to charity , especially The Leukemia and Lymphoma Society . I have lost my ability to donate my time working for that charity as I have done in the past because now I must work full time in order to eat.

I have lost the ability to help future generations of my family get an education . I have lost the ability to help them with housing . I have lost the ability to leave them what my husband and I worked our whole lives to accumulate. It pains me so much to remember my husband , a fine physician , getting up in the middle of the night and going into the hospital , in snow and ice and rain, to save someone's life so that Bernie Madoff could buy his wife a Cartier watch.

I have lost the ability to move around the world freely at this stage in my life ,using the money my husband and I worked so hard to earn. We had worked , saved and planned for our old age so that we could leave something behind and not be a burden when we became sick and old.

The emotional toll that this has taken on me has been devastating . I have had great pain and suffering at the hands of Bernie Madoff .

My health deteriorated rapidly after Dec 11 . I could not eat or sleep and was very agitated and hyper active. I had all the signs and symptoms of someone undergoing great stress. I suffered rapid heart rate , rapid weight loss, sweating , insomnia and crying spells . And the horrible feeling that I had been pushed into the great black abyss. But, I could not indulge these paralyzing feelings too long , I had work to do . While experiencing all those symptoms , I had to sell my home of 25 yrs , sell my car , sell my possessions and go to work full time . I accepted gifts of money from family and friends to pay my bills . I was the recipient of many kindness and saw so much goodness in people . That Mr Madoff , is a true joy in life to experience , You will never feel it ,and it is better than all the yachts , and all French homes, in all the world ,put together.

Because Congress has allowed the Securities Industries to function in a virtually regulation -free environment , appears to me that this industry is like the wild , wild , West . You just to have the courage and chutzpah to commit the crimeOur government has the responsibility to prevent Greed from ruling in the Financial Sector and throughout the halls of Congress. Otherwise , no one is safe from these crimes , everyone of you could be walking in my shoes. Our government has the responsibility to investigate and expose the people who allowed Mr Madoff to get away with this for so long . Our government has the responsibility to make full restitution to the victims .

Bernard L Madoff has committed the biggest fraud in history . Judge Chin , I implore you to show him no leniency . Because of his greed untold numbers have suffered and families will continue to suffer for generations to come.

Very Respectfully ,
Maureen A Ebel

EXHIBIT C

Olsen, Wendy (USANYS)

From: Henry Backe [hbacke@osgpc.com]
Sent: Wednesday, June 10, 2009 1:04 AM
To: USANYS-MADOFF
Subject: Madoff sentencing
Attachments: Madoff%20Statement%20US%20Senate%20Banking%20Committee[1].doc

Dear Judge Chin,

I represent 140 American workers from the state of CT. Our 401k profit sharing plan valued at 33 million dollars was entrusted to Bernard Madoff. We now know he stole our contributions year after year. I have attached my testimony to the US Senate Banking Committee to be included in the court record. This document details our collective losses, hardships, and financial and emotional turmoils caused by Bernard Madoff and those who helped him perpetrate this crime. I hope, pray and trust that he is given the maximum sentence allowed by law. He is an "economic terrorist." Thank you.

Sincerely,

Henry A. Backe, Jr., MD
Orthopaedic Specialty Group, P.C.
75 Kings Highway Cutoff
Fairfield, Ct 06824

January 27, 2009

U.S. Senate Committee on Banking, Housing, and Urban Affairs

**Hearing: Madoff Investment Securities Fraud: Regulatory and Oversight
Concerns and the Need for Reform**

Witness Statement: Henry A. Backe, Jr., M.D.

Orthopaedic Surgeon, Fairfield, CT

Good morning Senators. Thank you for allowing me to speak on behalf of 140 United States taxpaying citizens from the State of Connecticut. I am an Orthopaedic Surgeon, and a Partner of Orthopaedic Specialty Group ("OSG"), a medical practice located in Fairfield, Connecticut. We care for the medical needs of the insured and uninsured people of the greater Bridgeport, CT, region in New England. OSG, incorporated in 1971, has been in existence for over 75 years. We employ 130 people with annual incomes ranging from \$28,000 to \$130,000. We have some employees who have worked with us for over 30 years. OSG has had a retirement plan (the "Plan") for its employees since the 1970's. We currently have 140 participants of which 34 are now employed elsewhere or retired. We have followed all the ERISA rules and regulations governing pension plans and have been diligent in our fiduciary responsibilities. We have hired pension administrators for recordkeeping; our pension documents have been kept current with appropriate amendments by attorneys, and our accountants have completed every required filing since the Plan's inception.

Sixteen years ago, in 1992, we engaged Bernard Madoff Investment Securities Co. ("Madoff") to be our investment advisor and have invested all the Plan's assets with Madoff. Participants in the Plan include 15 doctors and 125 staff members such as nurses, x-ray technicians, medical assistants and administrative personnel. The Plan was funded by employee contributions, individual rollovers, and employer contributions. As of November 30, 2008, the plan had a net capital investment with Madoff of \$11,581,000 and a statement balance of approximately \$33 million.

The Partners of OSG have made routine visits to Madoff's offices in New York City since 1992. The OSG Plan took comfort in the fact that its assets were invested with a well known and highly respected investment adviser and broker-dealer that was registered with the SEC, and subject to routine examination and oversight by the SEC and FINRA. For over 16 years, the OSG Plan received confirmations from Madoff for thousands of securities transactions, mostly in blue chip stocks of major US corporations and US Treasury securities. We also received from Madoff monthly statements of our account activity, as well as quarterly and annual portfolio management reports.

The OSG Plan was audited by the U.S. Department of Labor in 2005 and no concerns were raised. We also had an independent audit conducted in 2008, by a reputable accounting firm in CT and again no concerns were raised. As recent as October 2008, we sent three of our Partners to Madoff's office to discuss the

volatile markets and check on our investments. One Partner, now 70 years of age, had over 30 years worth of retirement contributions and was interested in self managing his account since he was preparing to retire. We were assured by Madoff that his money was accessible and he could move it to a different type of account that he could manage at any time.

The news in early December 2008, that all the investment activity in Madoff was a sham, and that Madoff was in fact the world's largest Ponzi scheme, was devastating to us. We have three senior employees close to retirement who now do not know when or whether they can stop working. This affected OSG's recruitment planning to hire new physicians. We had given two new physicians employment offers that we are now unsure we can honor because senior doctors with plans to retire soon have now decided they need to keep working full time for many more years. Our employees are scared, worried and angry. They express loss of confidence in the federal government and its agencies. Some have declined to have payroll deductions made for their Plan contributions going forward. Some have expressed concerns that they will have to sell their homes when they retire since all their savings have been stolen. We have seen disagreements and friction among our employees over this matter. We fear we may have a very uncomfortable and unhealthy work environment if this takes years to sort out. This is the last thing a medical practice needs when treating patients. Our physicians are some of the most well trained and highly respected

orthopaedists in the area, but our community's perception of OSG has changed. Partners have told me people ask if we are closing down.

We have had to hire multiple attorneys for OSG, our Plan, and our employees. This month alone we have already incurred legal bills in excess of \$70,000. I personally spend at least two hours of my day dealing with this tragedy rather than taking care of patients.

Then, to add further insult to injury, we learned that the SEC had information linking Madoff to a Ponzi scheme as far back as 1992, and that starting in 1999 a gentleman named Harry Markopolos regularly advised the SEC that Madoff was a giant Ponzi scheme, and in fact provided a roadmap to the SEC as to how to unmask Madoff as a fraud. But the agency allowed Madoff not only to continue in operation, but to continue to take in billions of additional dollars of victim's funds, including the funds of the OSG Plan.

We learned next that it was highly likely that the Securities Investor Protection Corporation ("SIPC"), which took over Madoff, may take the position that the OSG Plan participants were not individual customers of Madoff, and each not entitled to SIPC coverage. Instead, it was likely that SIPC was going to treat the plan itself as the only customer of Madoff. In other words, the 140 participants in the plan, who lost a total of \$11,581,000 capital investment, would have to share in a maximum \$500,000 recovery. This is not right or just. Our pension plan

functioned as an individual retirement savings plan. Each participant received individual statements; each was able to rollover moneys from outside accounts to their own account within the Pension Plan. Each participant was allowed to, and some did, take out loans against their account. The intent was individual accounts and the plan operated in that way. Madoff traded on behalf of the Plan as one account. One of my Partners spoke with an attorney from SIPC who advised him that the initial intent of SIPC was to cover the individual investor.

Senators, the 140 participants in the OSG plan are not wealthy hedge fund investors, nor are they beneficiaries of multimillion dollar offshore trusts. They are regular working class Americans, most of modest means who annually put aside a substantial percentage of their wages to try to ensure that they could enjoy a dignified retirement in the near or distant future. They were let down by Madoff, the regulators, the SEC and FINRA. We hope and request that SIPC, which was created to protect small investors from harm, will help us as individuals.

We respectfully request that our legislators ensure that participants in pension plans, be it ours or any other who invested through Madoff, will be covered by SIPC insurance individually, or that they are recompensed in some other manner by the federal government in light of the SEC's repeated failure to stop Madoff from stealing money. We would like to see the government provide quality oversight through its agencies so that pension plans do not suffer this type of

theft loss in the future. This would help to restore the confidence and trust of Americans saving for retirement.

We would like the IRS to clarify or expand what can be considered a "theft loss" in this situation and/or waive the maximum contribution restrictions for individuals or employers affected by Madoff so they can rebuild their pension plans on an accelerated schedule.

On behalf of OSG, we, as citizens of the United States of America, appreciate your time and work on our behalf. What we need now, more than anything, is quick resolution to this issue so we can get back to our own professions and jobs taking care of the health of our fellow Americans.

Thank you.

Henry A. Backe, Jr., M.D.

Olsen, Wendy (USANYS)

From: Cynmark24@aol.com
Sent: Wednesday, June 10, 2009 1:07 AM
To: USANYS-MADOFF
Subject: Madoff victim statement

Dear Judge Chin,

I am writing to you as testimony as to what this crime has done to my life, starting with my late father who first started investing in Madoff in 1991. My father grew up during the depression, poor as dirt, got himself educated, and became a successful CPA. He worked his entire life until the day he died at age 84. He never lost his depression period mentality. He chose to save over spend. He was fanatical in his desire to have my mother protected for the rest of his life should he die first. He wanted the return of his investment to take care of my mother, cursed with Alzheimers Disease, for the rest of her life. I promised to take care of her no matter what. He felt safe with Madoff, former chairman of NASDAQ, investigated numerous times by the SEC and always given a clear bill of health. He was not interested in the high returns offered by many other fund managers or the returns easily achieved in the latter half of the 1990's. He thought of his investment in Madoff as a conservative investment. Today, my mother who needs round the clock attention by care givers, doesn't understand why she can no longer do the things she used to take for granted. She now lives as a poor person, and because of SIPC and their unsupportable definition of "net equity" to help victims, my mother will never see a dime of help from SIPC.

Not only is it quite likely that she will outlive her money, but she may even be clawed back for money she no longer has. Having Alzheimers has "protected" her from knowing about this possible reality, but it has not protected me from fearing for her very future every single day of the week.

I carry with me the knowledge that the next letter in the mail may be a clawback letter to her. I have no idea if this might end up putting her in the street. My father also set up a trust to protect my sister, a single parent of two children, who is disabled and cannot work. The money he transferred to her gave my sister a little financial freedom to live a normal life. Now she is bankrupt and has to burden the social service system and beg for any benefits she is entitled to receive.

I lost my life savings also. I was about to be retired and as a self employed person I no longer have a business that generates enough money to live on, having downsized my business in advance of retirement. I worked and slaved for nearly 40 years and I learned many of my lessons of life from my father, and also had lived modestly, looking forward to a financially secure future. I thought that by saving I was doing the proper planning. I was wrong. Now my life is spent all the time worrying about our future, now bleak, thinking about the care of my mother with resources constantly dwindling, and my sister who has no backup.

I have made public statements supporting a trial. Up to this point Bernard Madoff, though he is in jail, still controls. His claim that he allegedly acted alone is fraught full of lies. He has not cooperated with authorities. While he thinks he is doing the macho thing by protecting his family, there is nothing macho about destroying thousands upon thousands of lives. A person who has done such a crime is not capable of feeling any remorse. To that end, there should be an appropriate prison sentence.

While jailing Madoff will not bring me back any of the money I so desperately need to live on, a sentence commensurate with the crime along with being sent to a maximum security prison, will send a message to our country and to the world that we take this kind of white collar crime very seriously. To do anything less would send just the opposite message to the world that in the United States, business crimes are alright and that the enforcement of these crimes is

practically non-existent. A severe punishment will also send a powerful message to other schemers and scammers that the United States will not tolerate such crimes and that perpetrators of such crimes will be caught and punished to the full extent of the law. It is indeed upsetting to learn that this scam might have been going on for forty years or more, and that the SEC could not figure it out even when given a carefully designed road map with "red" flags everywhere. Knowing how ineffective government agencies are at preventing and catching criminals, the court system is the last resort to punish criminals. Please preserve the last vestige of the criminal justice system by sending Madoff to jail for the rest of his natural life and to sentence him to a maximum security prison where he will have plenty of time to think about what he has done, the ruined lives, the lives that live in constant fear. Perhaps, his living in fear for his "safety" might make him understand the fear, the dread, of how all of us are presently living our lives.

Respectfully submitted,

Richard M Friedman

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Olsen, Wendy (USANYS)

From: Robert Wolfson [rwolfson@earthlink.net]
Sent: Wednesday, June 10, 2009 1:35 AM
To: USANYS-MADOFF
Subject: Madoff's sentence

As victims of this terrible fraud, I urge Judge Chin to give Mr. Madoff the maximum allowable sentence. I am a 64 yr old retiree and Madoff's actions have caused tremendous pain to our family.

thank you,

Robert Wolfson

~~~~~  
Robert Wolfson  
79 Woodland Road  
Fairfax, CA 94930  
tel: (415) 456-4111  
cel: (415) 519-4102  
fax: (415) 456-7861



**Olsen, Wendy (USANYS)**

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**From:** Julie Behar [juliebehara@gmail.com]  
**Sent:** Wednesday, June 10, 2009 2:12 AM  
**To:** USANYS-MADOFF  
**Subject:** Letter to Judge Chin---MADOFF case

Judge Chin

It is my understanding that you have no statements from the victims of the Madoff fraud on record so that you cannot take any of this information into account when you finally sentence him.

In 1989 my father passed away, leaving a modest real estate estate to my mother, and hence to his children. My mother, sold the real estate and subsequently was introduced by a friend to the "Madoff" investment. Her friend had been invested with Madoff (through a feeder fund) for many many years and showed a clear and steady income. My mother checked out the investment as best she could and decided to put a small portion of her money into the Madoff feeder fund.

In 1990 my father's estate was distributed to myself and my brother. Since my mother had the money in the Madoff feeder fund in a trust for me, and I honestly felt that I needed to make it on my own and not use up this I did not touch my investment that sat in Madoff. My brother spent all of his money immediately.

In late 1992, the SEC closed the feeder fund and our money was distributed to us...BUT the SEC said that Madoff had to take us on as individual account holders if we had accounts of \$50,000 or more. Since we had made a nice income and felt secure, we transferred our money to individual accounts with Madoff.

So my trust along with a very small trust for my children just grew and grew. These trusts were never touched save to pay the FEDERAL AND STATE TAXES due on them. My trust grew over the years to almost \$2million dollars and my children's trust to over \$500,000. The children's trust demanded distribution start as the children got older so over the last several years the initial deposit (which is what Picard is basing his payments on) has been withdrawn. Unfortunately, the children will get nothing from SIPC .

My trust also has been depleted (based on Picard's determination of only using initial investments) because I have withdrawn to pay taxes over all these years thereby using all but around \$200,000 of my initial value up.

As I stated, I never touched my trust, so the loss of it is like having a pillow pulled out from under you. This was my retirement and my future not my present. But given that I had this pillow, I made other choices in my life that, were more risky than I would have done under other circumstances. I chose to do a job that was more philanthropic than using my MBA and staying in the high paying corporate world.

I have adjusted to the fact that there is no retirement in my future at the moment and any retirement will be difficult and rocky as I depend on social services, rather than my own investments to support myself! A horrible thought at best. I have already started to rearrange the eggs in the nest to try and build something over the next 10 years but it will not be an easy road to travel.

Back to my mother,...over the years as Madoff proved to be a "safe and steady" investment and my mother got older, she moved, little by little all her investments to Madoff...her IRA's, her small foundation, her personal assets. And she also held money for other family members (thereby becoming a small feeder fund herself!!) My mother held my IRA and investments for my husband (luckily not all our worth) and my brother as well as a few friends.

My mother is now in her 80's and destitute. She spent her life and most of her Madoff earnings helping people through her foundation that supported scientists and new technology. Her foundation is gone and she has no

work to do, nor the energy to go out and "get a job". Her eyesight is failing and this foundation kept her alive and active and involved.

She is living on less than \$800 social security a month (Social Security will not give her the other \$300 due her because of her financial status based on her 2008 tax return!!!) She has no money in the bank. Other than live day to day, her life is pretty well gone.

She will have no money to pay her rent (she sold all her real estate) soon or her utilities. She luckily had prepaid her rent for the year (prior to the Madoff collapse), so she is living rent free until the end of 2009...but then what?

Madoff's obvious deceit and fraud for all these years has to be punished. Unfortunately, it will not help the victims of his fraud return to any sort of life of the past.

We have moved on. After all it is only money and you can't take it with you but .....

We will survive and have since December 11th. We are all readjusting our lives and thought processes. The shock is over. And we will hope that there is recovery of funds and that Picard decides to value the "growth" of our initial investments when determining payouts in the future (but we doubt it---so we are moving on)

The story is a sad one but not life ending...devastating only if you allow it to be. I know a lot of people are hurt beyond their ability to regroup and continue. I know they have lost their life savings (me too) and can not get out of bed in the morning. I know that they had more debt than their income without their Madoff investment could handle. I know perhaps they lived in retirement on their investment, as my mother did. These people are devastated and should be helped financially and immediately! Nothing can restore their self respect or their trust in their own judgements. Madoff was a wolf amongst the sheep...even the Federal regulators allowed him to prey...perhaps there are baby wolves there as well...

no matter, Madoff deserves a sentence befitting a thief, and murderer. Because he has in essence murdered the trust the people placed in their investment advisors and the financial markets. He needs to take some responsibility for his flagrant behavior (and so should his wife to be honest but that is another matter)

With due respect

Julie Behar

Adele Behar

**Olsen, Wendy (USANYS)**

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**From:** RITA ENGLISH [toojakey@gmail.com]  
**Sent:** Wednesday, June 10, 2009 3:42 AM  
**To:** USANYS-MADOFF  
**Subject:** Madoff Sentencing

Dear Judge Chin,

My husband is 65 years old and on disability. He has had to try to work a few hours a week so we can make ends meet. While I am "lucky" to be employed, I find myself tired and depressed as I was supposed to retire on my last birthday in May. We worked all our lives and lived modestly...born in Brooklyn and I spent my childhood in NYC housing projects. Our lives had improved and we had hopes for spending our supposed golden years seeing our children and grandchildren more (they live away from our state). This despicable "human" being (Madoff) destroyed our lives; our hopes, dreams, plans. He has caused such pain and suffering.... We have to live with this daily and forever. Can you imagine your entire life being destroyed such as ours (and so many others). We are not the people who have expensive houses, cars, boats to sell. We were middle class and now we are poor. If I don't work until I die, we will have to lose our home!! Madoff deserves to receive the longest possible sentence and punishment.

I appreciate your giving me this opportunity to share my thoughts Rita English.

**Olsen, Wendy (USANYS)**

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**From:** nanaalex@aol.com  
**Sent:** Wednesday, June 10, 2009 6:41 AM  
**To:** USANYS-MADOFF  
**Subject:** Madoff statement

I'm a 40 year old mother of two boys ages three and almost six. We live in Manhattan, not far from the west village, the area I grew up in.

Last August I was diagnosed with thyroid cancer and in September I had a complete thyroidectomy and subsequent radioactive iodine treatment. A month later my husband left me for my best friend. We are now working toward getting a divorce.

The Madoff account was mine with money given to me by my parents, basically my inheritance. All the money I had in the world was invested in Madoff and now I have nothing but debt. I quit my part-time teaching job to become a stay-at-home mother six years ago. I have now taken an Adult ESL teaching job but it only pays \$1,297.34 net a month. My husband has been unemployed since August, hasn't sought work, and does not contribute to any kind of support.

I'm applying to court to require my husband to support me but that application may not be granted soon enough to bring any financial help.

I'm trying to find a roommate to bring in extra money but not many people want to live with two children. In the meantime, I'm responsible for monthly expenses of a mortgage payment of \$6,846.97, as well as \$1,100 for my son's preschool monthly and also an electric/gas bill that is usually well over \$1,000 and many other expenses for me and my two children. My only other income is \$5,595, which I collect monthly from a downstairs tenant I have.

Unfortunately since both my parents and sister also had every penny they had invested in Madoff, they are also unable to assist me financially.

I am the one who has the burden of providing for myself and my children since my husband has been unwilling to get a job or help us financially. I am very scared that without financial retribution from Madoff that my home will be facing foreclosure soon.

Thank you for listening to my story,

Alexandra Story Acct 1-ZB489-4-0 / 1-ZB489-3-0  
337 East 8th Street  
New York, NY 10009  
212-673-3909 / 917-628-5018 EMAIL [nanaalex@aol.com](mailto:nanaalex@aol.com)



**Olsen, Wendy (USANYS)**

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**From:** Ann Altman [annaltman@gmail.com]  
**Sent:** Wednesday, June 10, 2009 8:15 AM  
**To:** USANYS-MADOFF  
**Subject:** Sentencing of Bernard Madoff

To the Honorable Judge Chin.

Sir, On June 29th, you will have the responsibility of deciding the sentence of one of the most heartless and evil villains of our time, a man whose name will truly "live in infamy," a man who destroyed lives while he and his family lived as one of the richest families in the richest communities in this country and in Europe.

In our civilized country, where there is no place for torture and other medieval punishments and where "white collar" crime is not punishable by death, the only punishment that you can impose on Bernard Madoff is a jail term so long that he will never again live as a free man, in a jail where conditions are such that he will never again have another moment of comfort or luxury.

Yes, Bernard Madoff stole from me and from members of my family but my family has seen worse. My grandparents, all four of them, and many of my relatives perished in the Holocaust. Elie Wiesel survived the inferno of Auschwitz in which my grandparents perished and wrote about it so that all would know the terrible truth. For these reasons, Elie Wiesel, his work and his foundation have always had a special place in my heart. Bernard Madoff stole all his savings and the endowment of his foundation.

The cruel deception and theft perpetrated by Bernard Madoff against Elie Wiesel, a survivor of the worst that man did to man in Europe in the Twentieth Century, deserve the punishment that Wiesel himself suggested:

"I would like him to be in a solitary cell with a screen, and on that screen, for at least five years of his life, every day and every night there should be pictures of his victims, one after the other after the other, always saying, 'Look, look what you have done to this poor lady, look what you have done to this child, look what you have done.' But nothing else -- he should not be able to avoid those faces, for years to come. This is only a minimum punishment."

I respectfully request that, in sentencing Bernard Madoff, you remember Elie Wiesel's words. He speaks for all the victims, once again!

Yours sincerely,  
Ann M. Altman Ph.D.  
71 Blake Road  
Hamden, CT  
06501-3404

**Olsen, Wendy (USANYS)**

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**From:** Lewis C. Brodsky [lbrodsky@cox.net]  
**Sent:** Wednesday, June 10, 2009 8:39 AM  
**To:** USANYS-MADOFF  
**Subject:** Madoff Must Pay for His Crime

Judge Chin:

Bernard Madoff Investment Securities was the firm that promised me and my wife a happy and prosperous retirement after 35 years of public service. I placed my hard-earned savings and my trust in Mr. Madoff and his reputation for more than 16 years, settling for a modest but steady return on investment, and withdrawing funds only to pay taxes on the "earnings" and for emergencies. When I retired five years ago, I was still reluctant to touch our Madoff account, preferring to wait until my wife's retirement in 2010. But it was all for naught.

Everything we looked forward to doing with our Madoff "nest egg" is now gone. There will be no extra income for our retirement years, no money to lavish on our children and grandchildren, no long-planned retirement travel, no money to leave to our heirs. We will have to make do with what little remains. Madoff's fraud murdered our hopes, our dreams and our future. For us and so many others, December 18, 2008, was the start of a life-changing event from which we will never recover. I am returning to work and my wife's planned retirement is now indefinitely postponed.

Madoff is a sociopath who not only deceived us and other common folk, but thought nothing of screwing his personal friends, charities, and educational institutions. And for what? Greed? Pleasure? Because he enjoyed the power trip? To me, his deceitful behavior, which apparently went on for decades, is beyond cruel. He ruined countless lives and caused at least two suicides.

Please ensure that his criminal sentence sends a strong and clear message to the investment community that this must never happen again. Thank you.

Lewis C. Brodsky  
Springfield, Virginia



**Olsen, Wendy (USANYS)**

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**From:** Marilyn Mick [armick2@hotmail.com]  
**Sent:** Wednesday, June 10, 2009 9:10 AM  
**To:** USANYS-MADOFF  
**Subject:** Bernard Madoff

Honorable Judge Chin,

My name is Marilyn Mick. I am writing in regard to Bernard Madoff with personal statements on how his theft of my IRA has and will effected my life.

Mr. Madoff does not know me. Normally an investor contributing a sum like mine (\$20,000.00) would not be considered by Mr. Madoff. Because of his greed he allowed feeder funds to pool together to contribute more "acceptable" amounts of deposit. I was only accepted into this feeder fund because my mother-in-law was Frank Avellino's housekeeper in Fort Lauderdale, Florida.

Mr. Madoff, my investment was small but I earned it. It was not much (by your standards) because I chose to stay at home with my children until they were in school all day. It was a sacrifice I accepted for the benefit of my children. I worked part-time, then full time in a grocery store Deli for 14 years. We lived a modest life. We did not go to restaurants, we conserved utilities by burning wood in a wood burner in the winter, our vacations consisted mostly of camping. We paid completely our oldest sons college education and have government loans for our daughters. As we worked in the service industry, myself for 14 years and my husband for 26years our priority was to help our children as much as possible and save for our retirement. In a separate letter you hear from my husband from whom you stole \$215,000 of his IRA.

Mr. Madoff you have taken from us the means to provide for ourselves during our retirement years. Ours was in the form of IRA's. We are not eligible for SIPC because we came through one of your convenient feeder funds. You simply have robbed us of our entire retirement savings. In this economy our jobs are not secure and the hopes of rebuilding this nest egg to where it was is grim. In reality the hopes of receiving social security benefits in 17 years is questionable. This means for us, there will be no retirement years, we will be working until we die. Should our health fail us, we will be at the mercy of the government to provide care.

My hope Judge Chin is that your sentence Mr. Madoff with the maximum sentence you can give him. The crimes he has committed on so many justify this.

Mr. Madoff unfortunately I'm afraid you are incapable of understanding fully how you have impacted my life. We come from two very different worlds. But I do believe that God gives us all a conscience and the ability to know right from wrong. You, for years had the opportunity to listen to the right voice and do what was right and you chose to ignore it and continue to do what was so very wrong at the expense of so many whom you don't know and some who you do. Your fate is now in the hands of the courts to do what is right. May your punishment be swift and just. May your way of existence be as uncomfortable and uncertain as ours will be in our retirement years. May the 4 walls of your prison cell never be silent to the cries of those you have wronged.

Sincerely,

Marilyn K. Mick

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**Olsen, Wendy (USANYS)**

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**From:** bkiner@aol.com  
**Sent:** Wednesday, June 10, 2009 9:23 AM  
**To:** USANYS-MADOFF  
**Subject:** Madoff

Dear Judge,

It is quite apparent that Mr. Madoff can never pay for the crimes he has committed if he had 50 more years to live. It is also apparent that he is taking the ax for many others in his family, though thoughtful....it is illegal or unjust, once again. This man has almost single-handedly created a second holocaust for the Jews (and others) - although this time it was a financial holocaust. What a travesty that it happened to Elie Weizel TWICE! Madoff has NO conscience whatsoever and is thus a classic Sociopath!

This financial holocaust has cost my family dearly, both financially and emotionally. My husband came from meager beginnings, lost his father at age nineteen - was left with nothing but a good brain. With that brain and 40 years of very hard work as a primary care physician working EVERY DAY and on call EVERY NIGHT he put all his hard earned money into the only "safe" haven he knew: Bernard L. Madoff Investment Securities. This loss has destroyed him! He no longer wants to live. He has lost all faith and trust and hope. He was ready to retire: he no longer can retire. He is not well, but he has to keep working. He is tired - but he must keep on. There is no way to recoup. He is a beaten man. It is the saddest sight. This "man" Madoff should be shown no leniency, and nor should anyone who aided him in his destruction of so many peoples' lives!

Barbara Kiner

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**Olsen, Wendy (USANYS)**

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**From:** Steve Heimoff [steveheimoff@comcast.net]  
**Sent:** Wednesday, June 10, 2009 9:49 AM  
**To:** USANYS-MADOFF  
**Subject:** Victim Statement

Dear Judge Chin,

I am a 63 year old man who has lost his entire life savings to the criminal, Madoff.

When I found out, in mid-December, I almost killed myself. Throughout January and February, I barely made it through each day, I was so depressed and frightened. Without the help of my family, friends and psychotherapist, I'm sure I would have committed suicide.

My future is bleak. Everything I have worked for is gone. I have no employer pension, and the IRA I counted on to keep me independent in my old age is gone. I have no employer healthcare, and have to pay out of pocket for everything. Although I am healthy, one of these days I'll get sick. How will I pay for treatment?

I never lived the high life. I put every penny I could save into my retirement account. I have lived in a 610-square foot condominium in downtown Oakland, California for more than 20 years. I drive a 7-year old Toyota. I am not one of the multi-millionaires the media has portrayed as being Madoff's victims.

I'm lucky to still have a job, but as soon as the paycheck stops coming, which it will one of these days, I'll likely lose my little condo and be out on the street. Since December, I haven't eaten in a restaurant, gone to a movie, bought new clothes, or even replaced the brush on my electric toothbrush. No more discretionary spending for the rest of my life. I wake up at 2 or 3 in the morning and my mind is filled with anxiety. I have to practice my old meditation techniques to keep from having another panic attack.

My life has been destroyed by the monster, Madoff. I respectfully urge you to sentence him to the maximum penalty.

Thank you.

Steven H. Heimoff  
199 Montecito Ave. #203  
Oakland CA  
510-893-7479

**Olsen, Wendy (USANYS)**

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**From:** Freiwirth2@aol.com  
**Sent:** Wednesday, June 10, 2009 10:04 AM  
**To:** USANYS-MADOFF  
**Subject:** (no subject)

Dear Judge Chin,

My husband and I were with a small feeder fund that dealt directly and only with Bernard Madoff. We lost 75% of our life savings and are in the position now of living on the small amount remaining plus our social security. We are both retired and have no other means of income. We have put our second home, which is in Vermont, on the market. There is very little market in Vermont and it is very difficult for people to get mortgages for second homes, so our chance of selling is small. If we can sell we will get very little for it but we can not afford to maintain the house, so it must go. We are trying to keep our primary residence by getting a reverse mortgage but so far the FHA has not opened reverse mortgages for coop apartments. So our life is up in the air. We may have to leave the life we know, our children who live nearby, and our friends to move somewhere in the U.S. where we know no one and start all over. My husband is in his late seventies and I am in the early seventies. This will not be easy especially with no family or friends as support. This is what Bernard Madoff has done to us. I urge you to not be lenient with him and to give him the maximum sentence  
Thank you very much.

Sue Freiwirth.

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**Olsen, Wendy (USANYS)**

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**From:** Neeliestone@aol.com  
**Sent:** Wednesday, June 10, 2009 10:44 AM  
**To:** USANYS-MADOFF  
**Subject:** RE: Michael & Eileen Stone Madoff Victims

Judge,

My husbands entire business pension plan was invested with Bernie Madoff for many years. We were devastated in one moment due to the fact all the years of very hard work and savings were wiped out by Bernie Madoff's Ponzi Scheme...Now were are living from day to day with stress and anxiety let me list the ways..

- 1- how do I pay the mortgage..
- 2- health insurance
- 3- food
- 4- medication
- 5-doctors, dentists
- 6-telephone
- 7-transportation--gas-insurance-repairs we gave up our cars and purchased an older car
- 8-put our house up for sale- without a resale market the stress is unbearable
- 9-basic necessities
- 10-electric bills
- 11-water bills

I find it almost impossible to believe that Madoff was able to do this alone with out help. At the same time I feel it's a disgrace the the SEC ignored all warnings from experts that lead to this situation.

At the age of 69 I had to go back to work. I now work 10-12 hours daily trying to make a sufficient amount of money to cover our basic needs, as you know at my age it is not easy to find a job that pays a living wage that pays a decent salary to cover basic needs.

Due to all the above we had to sell our valuables in order to survive.

In view of all the facts in this case for ourselves and all the other victims we believe that this man BERNIE MADOFF should have to make restitution and spend the rest of his life in prison in solitary prison. Let's not forget his wife, sons and all the other people involved in this matter.

D. Stone Industries Pension & Trust  
Michael & Eileen Stone

**Olsen, Wendy (USANYS)**

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**From:** Lynn Sustak [lynnsus@comcast.net]  
**Sent:** Tuesday, June 09, 2009 11:03 PM  
**To:** USANYS-MADOFF  
**Subject:** Letter to Judge Chin  
**Attachments:** Dear Honorable Judge Chin.pdf



**Lynn Sustak**

745 Hunting View Point  
Atlanta, GA 30328

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June 9, 2009

Honorable Judge Chin,

My name is Lynn Sustak. Once again my husband and I find ourselves needing to express our feelings to you about the future of Bernard Madoff. When sentencing him, we ask you to please consider the horrific crimes he confessed to committing against thousands of law abiding, hard working, honest people.

Mr. Madoff confessed to orchestrating the world's largest most devastating Ponzi scheme ever in the history of our country and world. He has destroyed hundreds of thousands of people's dreams for the future. He has created tremendous hardships for the bulk of these investors. He has caused people to be so despondent they took their own lives. People have had to sell their homes, move into their children's homes, do without medication, work second jobs to cover expenses and the list goes on. Charitable organizations and foundations have had to close their doors causing people to lose their jobs plus creating hardships on the people that benefitted from these organizations, all because of Mr. Madoff's dishonesty.

Personally, my husband and I have lost everything we worked hard to invest for our future. We have been in the work force for over 40 years. We enjoyed a comfortable life. We were conservative with our spending, saving so we could enjoy the time when we could slow down with working. We looked forward to traveling, assisting our children and grandchildren financially, continuing to support charitable organizations and when the time came, having the financial security to protect us in our old age. All that is gone! The uncertainty of our future has caused us tremendous emotional stress.

My husband has now had to take a second job with the hope of generating more income. I continue to work at my job. We must somehow save money to start a nest egg for our future. My husband is 66 years old and I am approaching 60. How fast can we rebuild our nest egg? I believe we will never have the opportunity to enjoy our retirement as was our original plan.

Our savings are gone! Not lost due to a bad economic market, but because it was stolen from us.

The sentencing of Mr. Madoff must reflect the crimes he has committed. I have always been of the belief that a punishment should be consistent with the behavior. He must be sentenced to a life in prison. His sociopathic behavior, greed and deceit have caused so much physical and emotional pain to so many people around the world. Mr. Madoff is a criminal.

Put Mr. Madoff in jail for the rest of his retirement years.

Thank you for your consideration of our plea.

Lynn and Bob Sustak

**Olsen, Wendy (USANYS)**

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**From:** seaskells@yahoo.com  
**Sent:** Wednesday, June 10, 2009 11:05 AM  
**To:** USANYS-MADOFF  
**Subject:** Madoff

We were never rich and lost our retirement savings in the Madoff fraud which we were assured was secure. He should be made to pay the price for his awful crime.  
Sent via BlackBerry by AT&T

**Olsen, Wendy (USANYS)**

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**From:** LORISIROT@aol.com  
**Sent:** Tuesday, June 09, 2009 10:16 PM  
**To:** USANYS-MADOFF  
**Subject:** madoff sentencing

dear judge chin,

i am a 52 year old single mom with 2 teenage daughters. my ex-husband left me in 2006, and we spent two long years in family court working on our divorce. i have not worked a paying job since 1992, nor did i ever expect to return to my profession of physical therapy. i was busy raising my two girls, one of which has a significant learning disability with subsequent emotional issues. she spent the summer of 2008 in a therapeutic wilderness program. she has been busy with tutors, speech therapists, occupational therapists, social skills groups, individual therapy since she was 3 years old.

my ex-husband and i were invested with madoff for over 20 years. during the divorce i sold our big house and bought a modest home in our town of short hills, new jersey and cut back dramatically on our expenses. i did not get any alimony but was able to live a "comfortable" life on the interest from my lump settlement which was invested with madoff.

the rug got pulled out from under us on december 11th. i had very little in my local savings account and was planning on making a large withdrawal from madoff after the new year to last for approximately half a year. i was in a complete state of panic and extreme depression. i had no income, savings, retirement fund, nor college fund for my children. i was barely able to pay my taxes and put food on the table. we were spiraling into debt. we spent the winter with the lights dim and the heat as low as tolerable. i have since taken courses to get my physical therapy license reinstated, gone back to work, and sold my house and moved once more.

i have worked very hard all my life to make a home for my family and try to nurture and protect my children. i had many dreams and plans of the future and they were destroyed by madoff. i was fooled by his reputation, his accomplishments, and the SEC approval. i have been robbed of my financial future to the degree of severely impacting my life and the life of my children. i feel old and tired and unprepared to make such a dramatic change in my life, and the emotional health of my children is also severely affected. i still am not sure what kind of a future i can offer them.

i feel extremely let down by my government, both in how madoff was able to maintain this charade for so many years and by the governments treatment of the victims of madoff. i hope that madoff will get the appropriate sentencing for someone who has destroyed so many lives.

sincerely,  
lori sirotkin  
1000 SW 13th Ave.  
boca raton, fl 33486  
561-826-8437

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# EXHIBIT D

**Olsen, Wendy (USANYS)**

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**From:** Ken Hutchinson [khutch@gmail.com]  
**Sent:** Thursday, June 04, 2009 8:57 PM  
**To:** USANYS-MADOFF  
**Subject:** Request to speak at Madoff sentencing

To whom it may concern,

The financial damage afflicted by Bernard Madoff has been estimated and realized by many. The disruption that he caused to his employees - legitimate hard working people - has been overshadowed and underrepresented in the coverage of this multi-billion dollar scheme. As an employee of the firm for over 18 years, I spent my entire career working on the legitimate trading side of the business. The Madoff employees were also victimized after years of hard work and dedication. In December 2008, we lost our jobs, our health coverage and, most importantly, our trust in a company that we worked tirelessly to build. We have not had a voice. I am requesting to speak at the sentencing about the travesty that Bernard Madoff caused to his many employees.

Thank you,  
Ken Hutchinson  
[khutch@gmail.com](mailto:khutch@gmail.com)

**Olsen, Wendy (USANYS)**

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**From:** Ronnie Sue Ambrosino [madoffvictim@gmail.com]  
**Sent:** Tuesday, June 16, 2009 12:58 AM  
**To:** USANYS-MADOFF  
**Subject:** FW: FW: March 12 Plea Hearing/June 29 Sentencing Hearing  
**Attachments:** I was always taught to do the right thing.doc; Judge Chin doms letter june 29.doc

Ms. Olson,

I read the letters that were posted on the Huffington Post today and saw that my letter was present, but my husband's (Dominic Ambrosino) wasn't.

Also, we both requested to speak at the hearing and neither of our names were listed.

I'm sending the original email I sent to you on June 8<sup>th</sup> and our letters as well.

Please let us know, as we will need to make arrangements to be present in NY.

Thank you,

Ronnie Sue Ambrosino

631.676.1030

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**From:** ronnie sue ambrosino [mailto:madoffvictim@usa.com]  
**Sent:** Monday, June 08, 2009 8:13 AM  
**To:** USANYS-MADOFF  
**Subject:** Re: FW: March 12 Plea Hearing/June 29 Sentencing Hearing

Ms. Olson,

I met you briefly at the Plea Hearing and was fortunate to have been able to speak to the court and Judge Chin then, and I would also like to speak at the sentencing hearing. I would like to take the opportunity to speak of the devastation that I've heard from individuals for the last 6 months.

I am the coordinator of an online group consisting of former Madoff investors. Each member is vetted prior to joining in an effort to assure that we have a secure forum in which to speak.

As a result, I often hear the terrible tragedies these people are going through. I feel my heart break with each new member. We currently have approx 400 members and I have over 40 who have requested membership and are pending verification. We all have heart wrenching, compelling stories to tell.

I'm telling you all this because I think it enables me to see the vast devastation on a personal level. As the coordinator of the group, we have created a real grass roots effort to see justice performed on many levels. The sentencing of Mr. Madoff is one of those levels. I feel very strongly that the actions Judge Chin takes on June 29th will send strong messages to many. He has the opportunity to tell the world that when a crime is committed, the appropriate penalties will be paid.

To see justice prevail is a privilege all American's should witness.

In addition, my husband, Dominic Ambrosino (a retired NYC Correction Officer) would like to speak from his personal views.

I have written a letter to Judge Chin and would also like that entered into the records.

Please advise. Thank you.



Respectfully,

Ronnie Sue & Dominic Ambrosino  
631.872.8481

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**From:** ronnie sue ambrosino [mailto:madoffvictim@usa.com]  
**Sent:** Tuesday, March 10, 2009 8:37 PM  
**To:** Olsen, Wendy (USANYS)  
**Subject:** March 12 Plea Hearing

I would like to speak at the Madoff Plea hearing on Thursday March 12th. Please advise...

Thank you,  
Ronnie Sue Ambrosino  
victim, lost \$1.66 million  
bernardmadoffvictims.org

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The Honorable Denny Chin  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

June 8, 2009

Judge Chin,

As a retired NYC Correction's officer, I am very familiar with the inside of a courtroom. However, I never in my wildest dreams ever expected to be sitting in one as a victim of an indescribably heinous crime. Well, that dream came true on March 12<sup>th</sup> as I watch Bernie Madoff stand and be cuffed.

However, the dream really started as a nightmare on Dec 11<sup>th</sup>. I can remember the exact second my wife told me the news. I immediately knew all the ramifications it would bring, but I don't think she did.

The fallout from having your entire life savings robbed right out from under your nose is truly like nothing you can ever describe. At first it was the obvious-how will we pay our bills? How can someone do this to us? We worked honestly and we worked so hard, this can't be real?

But, I don't know if anyone, other than another victim can explain what the less obvious effects are.

How every decision directly or indirectly, hinged on the fact that we had the security of our savings.

For much of my career, I worked 2 jobs in order to make ends meet. I had a wife and 2 small sons. I wanted them to have everything I could offer to them. I didn't have an opportunity to save since all my income went to our living expenses. When I got divorced and met my current wife, she taught me what it meant to save and how to have financial security. She never told me about Bernie Madoff until we were engaged. My life didn't change much after she told me. We still clipped coupons, shopped for the best prices on purchases we made and still saved.

We both met after being divorced and enjoyed our new love. We wanted to spend as much time together as possible and thought that with our planning and savings, we could retire and share every day together. I had 8 years left in the Department of Corrections before I could retire and we literally counted the days. During this time, we tried to put as much of our combined salaries into our Madoff account as possible.

When I was able to leave the job, we bought a motor home to travel the country. We took out a mortgage since it was better to keep our savings in Madoff. We sold the house my wife lived in for 27 years and also put all those profits (and they were high) into our Madoff account. We trusted that this savings and planning would see us through our retirement.

We had 4 miraculous years traveling the country. It all stopped abruptly on Dec 11<sup>th</sup>.

As a result, we are left with no permanent house, a depreciating motor home (we are upside down on the loan), and an income from my pension that is our lifeline. This pension used to be perceived as 'spending money' before Dec 11<sup>th</sup> and now, although it doesn't cover our monthly expenses, we rely on it fully.

I sustained a 52% hearing loss on my NYC job and at 49 years old, can't go back to my previous career. So, I have taken a job for the summer (we're in Arizona where it's been 100 degrees for the past 2 weeks) as a construction project coordinator. The job will only last through August and then I don't know what I'll do.

My wife was run over by a van while in NYC for the plea hearing in March. She had a job lined up before the trip (the expenses of the trip were given to us) and had to let it go since she was in a cast for 8 weeks. She's now rehabilitating and still can't stand for long periods of time.

With that background as to who I am, I'd like to share some of the specific problems that Madoff's crime brought to us.

1. My pension distribution (a one time decision) was based on the fact that we had savings and security with Madoff. If I should die, my wife is left without a pension
2. Our health insurance plan was also decided based on our savings. If I should die, my wife is left without insurance
3. Our lifestyle was decided based on our savings. We have a large loan and large monthly payment for the motor home, which is a diminishing asset. We currently owe much more than the value of the motor home.
4. We sold our home in NY with the expectation that someday we would have the finances to purchase another one. We have no credit now and can't get a mortgage.
5. If we were to be able to purchase a home, we'd need to furnish it, as we sold all our furniture when we sold the house. Again, we have no credit.
6. We were in the process of purchasing an RV lot of our own with hopes of it being a safe place for us to go to, should one of us become ill and not be able to travel. We were supposed to close on that lot on Dec 30th. We lost the lot since we could no longer afford to buy it and now have

no place where we can go, except for public campgrounds or state parks-neither of which is conducive to healing, should we need it.

7. We have forsaken some medical treatment due to the lack of funds
8. We have been forced to caretake people's homes while they are out traveling (as we used to do) for the summer. We charge \$15/month to weed, check the toilets make sure there are no damages in the homes.
9. We have, through the generosity of friends, been able to stay rent-free on the RV lots of people in the community. We don't have enough income from my pension to pay the \$600/month rent. This will come to a screeching halt in October when the owners return for the winter season. We don't know where we'll go at that time.
10. The most devastating to us is we lost our freedom. We lost the ability to share our love everyday as we explored the country. We lost the time to hold hands as we walked. As they say in the commercial, "*This is priceless*".

Judge Chin, sentencing Bernard Laurence Madoff to the fullest extent will certainly not eliminate any of the issues I wrote about. It probably won't even give me satisfaction. But, as the guy who used to be on the **right** side of the prison bars, I'll know what Mr. Madoff's experiences will be and will know that he is imprisoned in much the same way he imprisoned me.

Thank you.

Respectfully,  
Dominic Ambrosino